

**BEFORE THE IOWA BOARD OF PHARMACY****RE:**

Application for Technician Trainee  
Registration of

**MARY LOU LINDBURG**  
Applicant

**REGISTRATION BY CONSENT AGREEMENT**

**COME NOW** the Iowa Board of Pharmacy ("Board") and Mary Lou Lindburg ("Applicant"), 109 N 3<sup>rd</sup> Ave, Villisca IA 50864, and enter into this Registration by Consent Agreement, pursuant to Iowa Code sections 17A.10 and 17A.18. The Board has jurisdiction over Applicant and the subject matter of this case pursuant to Iowa Code chapters 17A, 155A, and 272C, and 657 IAC chapter 3.

**A. LEGAL GROUNDS**

1. The Board has the authority to deny a technician registration for any violation of the laws of this state relating to prescription drugs and any violation of the Board's rules. See Iowa Code § 155A.6A(5) and 657 IAC 3.29.

2. The Board has the authority to deny a technician trainee registration if an applicant has had a license revoked, suspended, or had other disciplinary action taken, by a licensing authority of this state for conduct substantially equivalent to any of the grounds for disciplinary action in Iowa. 657 IAC 36.6(30).

**B. FACTUAL CIRCUMSTANCES**

3. On January 19, 2021, the Board received a technician trainee registration application from Applicant.

4. Applicant disclosed disciplinary action against her nursing license taken by the Iowa Board of Nursing on June 3, 2010.

5. The disciplinary action was based on Applicant's falsification of phentermine prescriptions for herself, which occurred from 2004 through 2009.

6. Applicant was also criminally convicted for this conduct through a guilty plea to the charge of Unlawfully Obtaining Prescription Drugs in February 2010.

7. Applicant completed her sanction with the Iowa Board of Nursing on June 3, 2011.

### C. REGISTRATION BY CONSENT

8. Applicant acknowledges that the Factual Circumstances set forth above, if proven in a contested case hearing concerning registration denial, would constitute grounds for the adverse action agreed to in this Agreement.

9. This Agreement applies to the individual identified and its terms apply to any other license or registration issued by the Board in the future to the individual identified.

10. Execution of this Agreement constitutes the resolution of a contested case. Applicant has a right to hearing before the Board on the grounds for registration denial, but Applicant waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's action, by freely and voluntarily entering into this Agreement. Once entered, this Agreement shall have the force and effect of a Board Order entered following a contested case hearing concerning registration denial.

11. Applicant acknowledges that she has the right to be represented by counsel on this matter.

12. This Agreement shall be part of Applicant's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

13. Applicant understands that this Agreement constitutes adverse action and that the Board is required by federal law to report any adverse action to the National Practitioner Data Bank.

14. This Agreement, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

15. The Board's approval of this Agreement shall constitute a **FINAL ORDER** of the Board.

#### **IT IS THEREFORE ORDERED:**

16. Applicant shall be issued a technician trainee registration.

17. Applicant is hereby **CITED** for her prior disciplinary action and **WARNED** that future violations of the laws and rules governing registrants can result in further disciplinary action.

18. Applicant must notify the pharmacist in charge at any current pharmacy employers and any future prospective pharmacy employers (at the time of employment interview) of this Agreement and the circumstances of her prior disciplinary action and maintain documentation of the notification.

19. Should Applicant violate the terms of this Agreement, the Board may initiate action to impose licensee discipline as authorized by Iowa Code chapters 155A and 272C and 657 IAC chapter 36.

3/15/21  
Date

Mary Lou Lindburg  
MARY LOU LINDBURG  
Applicant

This Registration by Consent Agreement is approved by the Executive Director with authorization from the Iowa Board of Pharmacy on March 22, 2021.

[Signature]  
Andrew Funk, Pharm.D., Executive Director  
Iowa Board of Pharmacy